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21034	7590	02/25/2005	EXAMINER	
IPSOLON LLP 805 SW BROADWAY, #2740 PORTLAND, OR 97205			LIN, WEN TAI	
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2154

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/992,420

Applicant(s)

CHANG ET AL.

Examiner

Wen-Tai Lin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-87 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-78 and 80-87 is/are rejected.
- 7) ☒ Claim(s) 79 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-87 are presented for examination.

DOUBLE PATENTING

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

3. A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

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4. Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

5. Claim 1 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 09/992417. Although the conflicting claims are not word-to-word identical, the claim languages contains equivalent features.

As to claims 2-87, since they are also fully disclosed in application No. 09/992417, they are therefore rejected as non-statutory double patenting as set forth in the paragraphs herein above.

6. Claim 43 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 09/992413. Although the conflicting claims are not identical, they are not patentably distinct from each other because the mere difference between claim 43 of the instant application and claim 1 of Application No. 09/992413 is term "portable device" in the instant claim is featured as an information apparatus requiring wireless communication to obtain a document object, which is essentially a portable device.

As to claims 2-87, since they are also fully disclosed in application No. 09/992417, they are therefore rejected as non-statutory double patenting as set forth in the paragraphs herein above.

7. The drawings filed on 11/18/2001 is objected to because the numeral "116" on Fig.1 appears to be repeatedly used for two different objects.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 10-22, 26, 45, 54, 59-65 and 67-87 are rejected under the second paragraph of 35 U.S.C. 112 because the following terms lack antecedent basis:

In claim 10, "the selected output device";

In claim 18, "the selected output device";

In claim 26, "the output job";

In claim 45, "the selected output device";

In claim 54, "the selected output device";

In claim 59, "the document object";

In claim 61, "the selected output device";

In claim 63, "the document object";

In claim 67, "the selected output device";

In claim 71, "the selected output device";

In claim 76, "the printer engine";

In claim 80, "the selected output device"; and

In claim 81, "the selected output device".

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-9, 23-25, 28-35, 38-39, 42, 44, 46-48, 51-53, 55-56, 59-60 and 62-63 are rejected under 35 U.S.C. 102(e) as being anticipated by Blumberg [U.S. PGPub 20020194302].

11. As to claims 1-2, 4, 30 and 42, Blumberg teaches the invention as claimed including: a data output method for rendering at an output device [e.g., a network printer or the view monitor attached to the client computer] output content managed from an information apparatus [e.g., 350, Fig.3], comprising:

obtaining a document object relating to the output content managed from the information apparatus [510-530, Fig.5];

obtaining an output device object with one or more attributes corresponding to the output device [paragraph 7, wherein the DPI is an attribute of the view monitor or

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the network printer and inherently the DPI information is sent to the image server for determining a reference image based on the attribute];

providing the document object and the output device object to a server application operated on a server [e.g., 340, Fig.3] that is distinct from the information apparatus and the output device [note that 350 and 340 of Fig.3 are separate entities], and generating with the server application output data employing at least partly the document object and the output device object [550, Fig.5]; and

providing the output data to the output device for rendering the output content, wherein the output data includes device dependent data [e.g., DPI] with respect to the output device and is received at the information apparatus and delivering the output data to the output device [paragraphs 7 and 107].

12. As to claim 3, Blumberg further teaches that the providing of the output data to the output device includes transmitting the output data through a network [paragraphs 7 and 41; i.e., use network printer as output device].

13. As to claim 5, Blumberg teaches that the method further comprises processing the output data before delivering the output data to the output device [e.g., zooming at the client or scaling at the image server (see paragraph 10)].

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14. As to claim 6, Blumberg further teaches that the output data comprises one or more of a page description language, a markup language, a file format, an image format, a graphics format, an audio file, and a video file [paragraph 27].

15. As to claim 7, Blumberg further teaches that the generating of the output data comprises at least a partial raster image processing operation on the output content [paragraph 5].

16. As to claim 8, Blumberg further teaches that the image processing operation includes one or more of an interpretation operation, a conversion operation, a rasterization operation, a scaling operation, a segmentation operation, color space transform operation, an image enhancement operation, a color correction operation, a half-toning operation, a compression operation, and an encryption operation [e.g., paragraph 10].

17. As to claim 9, Blumberg teaches that the image could be output to a network for printing. Blumberg further teaches that the printer's DPI is being used as a reference for the image server to produce images that fit the specified printer attribute. As such, there must have established a communication channel between the information apparatus and the output device and transmitting one or more attributes characterizing the printer via the communication channel to the image server.

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18. As to claims 23-25 and 28-29, Blumberg further teaches obtaining at the information apparatus a job object with one or more attributes characterizing the rendering of the output content [560-570, Fig.5; e.g., the zoom factor is an attribute characterizing the rendering of the output content, which, together with the DPI, is an indication of the user's preference of output quality, etc.], wherein the job object includes an identification attribute characterizing user identification [i.e., inherently the client's IP address is sent to the server along with the image viewing or printing request].

19. As to claim 31, Blumberg further teaches that the document object includes a pointer or reference to the output content [e.g., 530, Fig.5; i.e., the URL# is a pointer to the requested images].

20. As to claim 32, Blumberg further teaches that the output content is stored on a device other than the information apparatus [e.g., the image server of Fig.3 stores the actual images].

21. As to claim 33, Blumberg further teaches that the document object includes one or more document instruction attributes that include instructions for one or more of viewing, obtaining, opening, interpreting, encoding, decoding, converting, compressing, decompressing, rasterizing, authenticating, encrypting, decrypting, or manipulating the

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output content [Fig.5; e.g., a JPEG formatted image has attributes regarding how the image is compressed].

22. As to claim 34, Blumberg teaches that the document object includes software code [paragraphs 27-29; e.g., Java Applet is a software code].

23. As to claim 35, Blumberg further teaches that the document object includes a reference or pointer to another object [e.g., 530, Fig.5; i.e., the URL# is a pointer to the requested images].

24. As to claim 38, Blumberg further teaches that the output device object includes an output device language attribute that indicates one or more output data languages supported by the output device [paragraphs 2-4; e.g., a printer able to process Postscript formatted or raster images has an associated drivers accommodating to the respective output data languages].

25. As to claims 39, 44, 46-48, 51-53, 55-56, 59-60 and 62-63, since the features of these claims can also be found in claims 1-9, 23-25, 28-35 and 38, they are rejected for the same reasons set forth in the rejection of claims 1-9, 23-25, 28-35 and 38 above.

26. Claims 1, 44, 52, 59, 66-74, 78 and 85-87 are rejected under 35 U.S.C. 102(e) as being anticipated by Hamzy [U.S. Pat. No. 6623527].

27. As to claims 1, 44, 52, 59 and 66, Hamzy teaches the invention as claimed including: a data output system for rendering at an output device [113-117, Fig.2] output content managed from an information apparatus, comprising [note the following features are based on claim 66, but they are equivalent to those of claims 1, 44, 52 and 59]:

means for obtaining a document object relating to the output content managed from the information apparatus [101-105, Fig.2; i.e., the requested web page is a document object];

means for obtaining an output device object with one or more attributes corresponding to the output device [335-337, Fig.4B; i.e., the printer ID is an attribute corresponding to the printer];

means for providing the document object and the output device object to a server application [113, Fig.2] operated on a server that is distinct from the information apparatus and the output device [i.e., 101 and 113 are separate entities], and generating with the server application output data employing at least partly the document object and the output device object; and means for providing the output data to the output device for rendering the output content [col.5, lines 9-21].

28. As to claims 67-68 and 74, Hamzy further teaches that the output device includes:

an output engine that can output the output content to an output medium in accordance with a device-dependent output data acceptable to the output engine [117, Fig.2];

a connection to an output controller [113, Fig.2; i.e., the printer service is an output controller serving a group of networked printers] having:

means for providing at least part of the output device object to the information apparatus, and means for receiving an output data from the information apparatus, and means for passing the output data to the selected output device for rendering of the output content [col.6, lines 52-65], wherein the output medium includes one or more of a substrate, a paper, a display screen, and a projection [i.e., paper is a nominal output medium for a printer].

29. As to claim 69, Hamzy further teaches that the output controller further comprising means for storing one or more output device objects with one or more attributes corresponding to the one or more output devices [335-337, Fig.4B; col.2, lines 4-21; i.e., a user is provided with multiple choices of network printers, wherein each printer is associated with a printer ID].

30. As to claim 70, Hamzy teaches that the system further comprises means for receiving plural service requests from plural information apparatuses, the output controller providing the at least part of the output device object to each of the plural information apparatuses [i.e., as a printer server for network printers, the printer service

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(113, Fig.2) is inherently capable of handling requests for plural information apparatuses].

31. As to claim 71, Hamzy teaches that the system comprises means for receiving from the information apparatus device-specific output data corresponding to the output content to be rendered at the selected output device [col.5, lines 11-21].

32. As to claim 72, Blumberg and Hamzy further teaches that the output controller further includes means for providing the at least part of the output device object to the information apparatus as unsolicited information without a request therefor from the information apparatus [col.6, line 65 – col.7, line 1].

33. As to claim 73, Hamzy further teaches that the at least part of the output device object is provided to the information apparatus in more than one communication session with the information apparatus [col.6, lines 63-65; i.e., the set of printers is collected periodically at separate communication sessions].

34. As to claim 78, Hamzy further teaches that the output controller further includes means for implementing job management functionalities with one or more of data output job queuing and spooling [col.5, lines 18-21].

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35. As to claims 85-87, Hamzy further teaches that the output data received by the output controller includes a device dependent data acceptable to the output engine; means for converting the output data content into a form compatible with the output engine; and means for performing at least partially, raster image processing operations on the output data [col.5, lines 11-21; note that a majority of all data formats must be converted into raster image because a typical printer handles raster images].

Claim Rejections - 35 USC § 103

36. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

37. Claims 10-11, 15-22, 36-37, 43, 45, 49-50, 54, 57-58, 61 and 64-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blumberg [U.S. PGPub 20020194302], as applied to claims 1-9, 23-25, 28-35, 38-39, 42, 44, 46-48, 51-53, 55-56, 59-60 and 62-63 above, and further in view of Hamzy [U.S. Pat. No. 6623527], as applied to claims 1, 44, 52, 59, 66-74, 78 and 85-87 above.

38. As to claims 10-11, Blumberg does not specifically teach (1) discovering the selected output device as one of one or more output devices that are discovered by the

information apparatus as being available for rendering the output content and (2) the information apparatus discovers the one or more output devices with wireless communication.

However, in the same field of endeavor, Hamzy teaches that a browser plug-in of a client system may retrieve a set of active printers at some initial time (and refreshed periodically) [Hamzy: col.6, lines 52-65], wherein the client system can be extended to wireless, handheld devices that are capable of retrieving web data. Therefore, by default, the aforementioned discovering process is performed via wireless communication.

It would have been obvious to one of ordinary skill in the art at the time the invention was made that Blumberg's client could also have adopted a similar procedure for retrieving a set of active network printers along with some associated attributes because this procedure is well known and has been proven to be efficient in obtaining information about available network printers. Furthermore, it is also obvious, in view of Hamzy's teaching, that Blumberg's client system may also be extended to wireless, handheld devices because by doing so it would broaden Blumberg's application to the widely populated users.

39. As to claims 15-22, Blumberg further teaches that the discovering of the one or more output devices involves determining if the one or more output devices satisfy one or more output service requirements [Blumberg: paragraph 9; i.e., with zooming factor and the default DPI of the view monitor or printer, the user has a image quality in mind

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for which a commensurate image is downloaded. Hamzy further teaches that a plurality of printers can be listed for selection [Hamzy: 333 - 337, Fig.4B], wherein the displayed printer brands and models have implications on printer quality, price, availability, etc., wherein it is obvious that a user may select one desirable printer when there are more than one in the list or else a default printer is chosen (i.e., the server automatically picks the default printer).

40. As to claims 36-37, Blumberg does not specifically teach the output device object includes an output device identification attribute that includes one or more of an output device brand indication, a model indication, an identification number indication, an output device type indication, and a network address indication.

However, Hamzy teaches that the output device object includes an output device identification attribute that includes one or more of an output device such as brand indication or a model indication [335-337, Fig.4B].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate attributes such as brand indication or a model indication because it enables Hamzy's remote server to obtain the printer related information such as DPI and other quality related attributes that are needed for printing images at a specified printer [Blumberg: paragraph 7]

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41. As to claims 43, 45, 49-50, 54, 57-58, 61 and 64-65, since the features of these claims can also be found in claims 1, 10, 36, 44, 52 and 59, they are rejected for the same reasons set forth in the rejection of claims 1, 10, 36, 44, 52 and 59 above.

42. Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blumberg [U.S. PGPub 20020194302], as applied to claims 1-11, 15-25, 28-39 and 42-65 above and Hamzy [U.S. Pat. No. 6623527], as applied to claims 10-11, 15-22, 36-37, 43, 45, 49-50, 54, 57-58, 61, 64-74, 78 and 85-87 above, further in view of Official Notice.

43. As to claims 12-14, Hamzy teaches that information about active printers is collect via browser plug-ins [col.6, lines 52-61]. Blumberg and Hamzy does not specifically teach how to obtain information about the available network printers, such as: by sending an output service request and awaiting a response from one or more output devices (claim 12); posting their availability and the information apparatus contacting one or more of the one or more output devices (claim 13); or obtaining from a service node (claim 14).

However, Official Notice is taken that the above listed sources of information are well known options in the art for obtaining available network printers. It would have been obvious to one of ordinary skill in the art at the time the invention was made to make Blumberg and Hamzy's client devices adapted to these different ways of obtaining

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available network printers because different printer networks may adopt different protocols for providing information about available printers.

44. Claims 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blumberg [U.S. PGPub 20020194302], as applied to claims 1-25, 28-39 and 42-65 above, further in view of Kageyama et al. (hereafter "Kageyama") [U.S. Pat. No. 5625757].

45. As to claims 26-27, Blumberg does not specifically teach that the job object includes a job attribute characterizing one or more job features including one or more of a job priority or quality of service feature, job status information indicating status of the output job, a job instruction feature indicating one or more of job queuing, cancellation, execution, and output priority.

However, Kageyama teaches a printer network wherein a printer's job status information can be queried via a printer server [Kageyama; col.4, lines 11-25].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include job status in Blumberg's printer because the feature enables a user to find out the status of a submitted printing job.

46. Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blumberg [U.S. PGPub 20020194302], as applied to claims 1-39 and 42-65 above.

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47. As to claim 40, Blumberg does not specifically teach that the output device object includes a payment information attribute that indicates payment information on one or more output services provided by the output device.

However, it is well known in the art that shared printers (in particular those networked printers) charge users according their usage.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included payment information attribute in Blumberg's output device object because this feature enables Blumberg's clients to be aware of the printing cost.

48. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blumberg [U.S. PGPub 20020194302], as applied to claims 1-40 and 42-65 above, and further in view of Official Notice.

49. As to claim 41, Blumberg does not specifically teach that the output device object includes a security attribute that indicates one or more security or authentication requirements supported by the output device.

However, Official Notice is taken that it is well known that permission is required to access certain networked printer due to the printer ownership or payment schemes.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include permission attribute in Blumberg's output device object

because the feature enables Blumberg's client to avoid using some of privately owned printers in Blumberg's network printers.

50. Claims 75-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamzy [U.S. Pat. No. 6623527], as applied to claims 10-22, 36-37, 43, 45, 49-50, 54, 57-58, 61, 64-74, 78 and 85-87 above.

51. As to claims 75-76, Hamzy does not specifically teach whether the printer includes a printer controller or not. However, Hamzy teaches that a printing device may be functionally decomposed as printer services, driver and printer itself, wherein format conversion could be performed at the printer services (i.e., at the output controller), which is typically a dedicated printer server [col.5, lines 9-21]. On the other hand, it is also obvious that a stand-alone printer must have all these functionalities equipped in a same device and calling it a printer. As such, it is obvious to one of ordinary skill in the art that a printer could be broadly referred to 117 of Fig.2 (which does not contain a printer controller), or 117 and 115, which contains drivers for accommodating different formats, or include 113-117 because there is no specific boarder line as how to define a printer.

52. Claims 77 and 80-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamzy [U.S. Pat. No. 6623527], as applied to claims 10-22, 36-37, 43, 45, 49-50, 54, 57-58, 61, 64-76, 78 and 85-87 above, and further in view of Official Notice.

53. As to claims 77 and 83-84, Hamzy does not specifically teach that the output controller further includes means for implementing payment processing as compensation for rendering of the output content on the output device.

However, Official Notice is taken that it is well known for content providers to receive compensation for rendering output content (such as documents, audio or video contents) on an output device.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to Blumberg's image providers to charge users for use of the resources because charging for services would in return support the continuation of the same services.

54. As to claims 80 and 82, Hamzy does not specifically teach the output controller further includes means for implementing a security procedure that limits access to the rendering provided by the selected output device.

However, Official Notice is taken that it is well known that permission is required to access certain networked printer due to the printer ownership or payment schemes, wherein screening for permission may include one or more of a subscription indicator, a login, a password, and an authentication.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a security procedure in Hamzy's output controller because the feature enables Hamzy's output controller to screen non-permitted users.

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55. As to claim 81, Hamzy teaches that allowed printers are listed in the associated web page, which by default requires storing in a memory component of such an access control list [223-337, Fig.4B].

56. Claims 79 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

57. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Patel; et al. [U.S. Pat. No. 5566278];

ant ~~Ishikawa~~
~~Printing~~ [U.S. PGPub 20020042263];

Watanabe; et al. [U.S. Pat. No. 6578072];

Singhal; [U.S. Pat. No. 6256666];

Smith [U.S. PGPub 20020092029]; and

Gindele; et al. [U.S. Pat. No. 6775407].

58. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 days from the mail date of this letter. Failure to respond within the period for response will result in ABANDONMENT of the application (see 35 U.S.C. 133, M.P.E.P. 710.02, 710.02(b)).

Conclusion

Examiner note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the contest of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday (8:00-5:00) .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)872-9306 for official communications; and

(571)273-3969 for status inquires draft communication.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

February 17, 2005

Wen-Tai Lin
2/17/05